



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

June 4, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
CENTINELA AREA PROBATION OFFICE AND BUILDING AND SAFETY  
FIRESTONE DISTRICT OFFICE REPLACEMENT PROJECT, PHASE III  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6880; CAPITAL PROJECT NO. 69272  
(SECOND DISTRICT) (3 VOTES)**

**SUBJECT**

The recommended actions will allow the Department of Public Works (Public Works) to commence the construction for the Centinela Area Probation Office and Building and Safety Firestone District Office Replacement Project, Phase III.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the revised \$20,877,000 total project budget for construction of the Centinela Area Probation Office and Building and Safety Firestone District Office Replacement Project, Phase III.
2. Find that Tobo Construction, Inc., is the apparent Lowest Responsive and Responsible Bidder, and award Tobo Construction, Inc., a construction contract for the Centinela Area Probation Office and Building and Safety Firestone District Office Replacement Project, Phase III, for \$2,269,000, subject to the satisfactory and timely completion by the contractor of the consultant services agreement to prepare a baseline construction schedule for the project and receipt by the County of acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of required contractor insurance.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

3. Delegate to the Acting Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the contractor has satisfied the above conditions for contract award; authorize the Acting Director of Public Works to execute the construction contract, in the form previously approved by County Counsel, to Tobo Construction, Inc.; and to establish the effective date of the construction contract if the Acting Director of Public Works determines that the above conditions have been satisfied.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approving the recommendations will allow construction of the Centinela Area Probation Office and Building and Safety Firestone District Office Replacement Project, Phase III, to commence.

Your Board previously approved design services for a new Probation Department (Probation) building to replace the existing Centinela Area Probation Office and a Building and Safety District Office as a replacement of the Firestone District Office. The new building will include 25,000 square feet for Probation's Field Office and 5,000 square feet for the Building and Safety District Office.

As previously reported to your Board, the project was divided into three phases in order to expedite project delivery. Phase I involved make-ready site work; Phase II involved the design and construction of the building's core and shell; and Phase III included completion of the tenant improvements. Phase I is complete and Phase II is currently under construction with expected completion in August 2008.

On March 18, 2008, your Board adopted plans and specifications for Phase III and instructed the Executive Officer of the Board to advertise for construction bids. On April 17, 2008, nine bids were received and Tobo Construction, Inc., was the apparent Lowest Responsive and Responsible Bidder meeting the criteria adopted by your Board. As instructed by your Board, a consultant services agreement has been executed with Tobo Construction, Inc., to prepare a baseline schedule for a \$5,000 not-to-exceed fee. The cost of the consultant agreement with Tobo Construction, Inc., has been subtracted from their total lump sum bid as described in the Instruction to Bidders. We recommend your Board award the contract to Tobo Construction, Inc., for \$2,269,000, subject to Tobo Construction, Inc., satisfying the conditions for contract award.

### **Implementation of Strategic Plan Goals**

These actions meet the County's Strategic Plan Goals of Fiscal Responsibility (Goal 4) and Organizational Effectiveness (Goal 3) by investing in infrastructure, which provides building improvements that will improve employee working conditions and enhance operations of the Probation Department and Building and Safety Office.

### **FISCAL IMPACT/FINANCING**

The recommended construction contract with Tobo Construction, Inc., is for \$2,269,000, including Additive Alternate 1, which is furniture, furnishings, and equipment for the Probation Office and Building and Safety Office. In addition, an amount equal to approximately 15 percent of the contract sum is allocated for change orders in the project budget.

Due to the favorable bids received, the Phase III tenant improvements project costs, including furniture expenditures, were reduced by \$1,011,000 (tenant improvements \$811,000 and furniture \$200,000). However, during implementation of the make ready earthwork, unforeseen conditions were discovered, which required shoring design modifications and additional work to replace more soil and debris than anticipated and increased construction costs by \$500,000. The balance of \$511,000 is being reallocated to the change order budget to address any future unforeseen conditions. The revised total project budget, including construction, change orders, equipment, consultant services, miscellaneous expenditures, and County services, remains at \$20,877,000 the previously approved amount.

There is sufficient appropriation within the Capital Projects/Refurbishments Budget under Capital Project No. 69272 to award this construction contract and fund the project.

The revised Project Schedule and Budget Summary are included in Attachment A.

### **Operational Budget Impact**

The project consists of a new replacement facility for the Centinela Area Probation Office and Public Works Building and Safety Firestone District Office; therefore, any increases in ongoing operational costs, including utilities, will be absorbed by the Probation and Public Works Departments.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration of contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence Program/General Relief Opportunities for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for the Federal Earned Income Credit under Federal income tax laws.

Bidders will also be required to show full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

### **ENVIRONMENTAL DOCUMENTATION**

On December 19, 2006, your Board adopted the Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Program for the project.

### **CONTRACTING PROCESS**

On March 18, 2008, your Board adopted plans and specifications for the project at an estimated \$2,200,000 construction cost, not including the cost of Additive Alternate 1, and instructed the Executive Officer of the Board to advertise for construction bids. On April 17, 2008, nine bids were received.

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Tobo Construction, Inc., with a total lump sum bid of \$2,274,000 (inclusive of \$1,389,000 base bid amount and the \$885,000 Additive Alternate 1 amount) was the apparent Lowest Responsive and Responsible Bidder meeting the criteria adopted by your Board. The bid results are summarized in Attachment B.

Tobo Construction, Inc., Community Business Enterprises participation data and 3-year contracting history with the County are on file with Public Works.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the Doing Business with Us website. The Fiscal Year 2007-08 Capital Projects/Refurbishments Budget includes sufficient appropriation to fund the subject construction contract under Capital Project No. 69272.

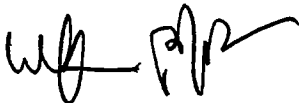
#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impact on current County services or projects during the performance of the recommended services.

#### **CONCLUSION**

Please return one adopted, stamped copy of this letter to my office, and one to the Department of Public Works (Project Management Division II).

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DDE:DL  
JSE:DJT:TJ:zu

#### **Attachments**

- c. Auditor-Controller  
County Counsel  
Office of Affirmative Action Compliance  
Probation Department  
Department of Public Works  
Department of Public Social Services (GAIN/GROW Program)

June 4, 2008

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS:  
CENTINELA AREA PROBATION OFFICE AND BUILDING AND SAFETY  
FIRESTONE DISTRICT OFFICE REPLACEMENT PROJECT, PHASE III  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6880; CAPITAL PROJECT NO. 69272  
(SECOND DISTRICT) (3 VOTES)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Completion Date</b>	<b>Revised Completion Date</b>
Project Needs Assessment	01/10/05*	01/10/05*
Core and Shell Design		
Contract Execution	02/22/05*	02/22/05*
Project Program	07/28/05*	07/28/05*
Construction Document Submittal	11/22/06*	11/22/06*
Jurisdictional Approval	03/15/07*	03/15/07*
Construction Bid and Award	06/26/07*	06/26/07*
Construction		
Substantial Completion	07/24/08	08/15/08
Acceptance	08/25/08	09/15/08
Tenant Improvement Design		
Construction Document – Submittal	09/17/07*	09/17/07*
Jurisdictional Approval	02/07/08*	02/07/08*
Construction Bid and Award	05/20/08	06/03/08
Construction		
Substantial Completion	12/29/08	01/12/09
Acceptance	04/16/09	04/28/09

\* Indicates completed activity

## II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of this Action	Revised Project Budget
Construction			
a) Earthwork – JOC (Phase I)	\$ 2,000,000	\$ 500,000	\$ 2,500,000
b) Core and Shell (Phase II)	\$ 9,352,000	\$0	\$ 9,352,000
c) Tenant Improvements (Phase III)	\$ 2,200,000	(\$811,000)	\$ 1,389,000
d) Change Orders	<u>\$ 1,860,000</u>	<u>\$511,000</u>	<u>\$ 2,371,000</u>
Subtotal	\$15,412,000	\$200,000	\$15,612,000
Equipment	\$ 400,000	0	\$ 400,000
Plans and Specifications	\$ 1,280,000	0	\$ 1,280,000
Consultant Services	\$ 257,000	0	\$ 257,000
Miscellaneous Expenditures			
a) Furniture	\$ 1,085,000	(\$200,000)	\$ 885,000
b) Utility Fee	\$ 300,000	0	\$ 300,000
c) Printing/Legal	<u>\$ 55,000</u>	<u>0</u>	<u>\$ 55,000</u>
Subtotal	\$ 1,440,000	(\$200,000)	\$ 1,240,000
Jurisdictional Reviews and Plan Check	\$ 88,000	0	\$ 88,000
County Services	\$ 2,000,000	0	\$ 2,000,000
<b>TOTAL</b>	<b>\$20,877,000</b>	<b>0</b>	<b>\$20,877,000</b>

June 4, 2008

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS:  
CENTINELA AREA PROBATION OFFICE AND BUILDING AND SAFETY  
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AWARD CONSTRUCTION CONTRACT  
SPECS. 6880; CAPITAL PROJECT NO. 69272  
(SECOND DISTRICT) (3 VOTES)**

The project consists of Phase III of the Centinela Area Probation Office and Department of Public Works Building and Safety District Office.

**Bid Opening:**

April 17, 2008

**Bid Summary:**

<u>Bidder</u>	<u>Base Bid</u>	<u>Daily Overhead Rate (x 60 Days)</u>	<u>Additive Alternate 1</u>	<u>*Total Lump Sum</u>
1. Tobo Construction, Inc.	\$ 1,389,000	\$ 18,000	\$ 885,000	\$ 2,292,000
2. Woodcliff Corporation	\$ 1,513,000	\$ 30,000	\$ 750,000	\$ 2,293,000
3. Morrissey Construction Co.	\$ 1,687,900	\$ 60,000	\$ 756,900	\$ 2,504,800
4. Newman Midland	\$ 1,785,000	\$ 45,000	\$ 800,000	\$ 2,630,000
5. CA Construction	\$ 1,950,000	\$ 60,000	\$ 922,000	\$ 2,882,000
6. Angeles Contractor	\$ 1,703,000	\$ 30,000	\$1,193,000	\$ 2,926,000
7. AWI Builders	\$ 2,299,911	\$ 15,000	\$ 945,000	\$ 3,209,911
8. Diamond Construction, Inc.	\$ 2,155,546	\$ 90,000	\$ 983,239	\$ 3,228,786
9. NSA Construction Group, Inc.	\$ 1,884,000	\$ 72,000	\$1,550,000	\$ 3,456,000

\*The low bidder was determined by the total amount of the base bid, plus 60 days of extended overhead and additive alternate.

**Financial Information:**

Public Works' fair construction cost estimate was \$2,200,000, excluding the additive alternate.

The contract will be issued to Tobo Construction, Inc., for \$2,269,000, including Additive Alternate 1 (the amount of its base lump sum bid, plus the amount of Additive Alternate 1, minus \$5,000, the amount of the consultant services agreement previously awarded to Tobo Construction, Inc., for preparation of the baseline construction schedule).